

HOUSE BILL 2928

By Sargent

AN ACT to amend Tennessee Code Annotated, Section 50-6-241, relative to workers' compensation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 50-6-241(d)(1)(A), is amended by deleting the following:

and the pre-injury employer returns the employee to employment at a wage equal to or greater than the wage the employee was receiving at the time of the injury

And inserting the following language:

and the pre-injury employer returns the employee to employment and at the time of settlement or trial the average weekly wages earned by the employee are equal to or greater than the average weekly wages the employee was receiving at the time of the injury

SECTION 2. Tennessee Code Annotated 50-6-241(d)(1)(A), is amended by adding the following sentence after "determined pursuant to the provisions of § 50-6-204(d)(3).":

If at the time of settlement or hearing the employee is making an average weekly wage equal to or greater than the average weekly wage the employee was receiving at the time of the injury, the employee shall be presumed to have a meaningful return to work.

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.